

EILEEN B. GOLDSMITH (SBN 218029)  
Altshuler Berzon LLP  
177 Post Street, Suite 300  
San Francisco, California 94108  
Telephone: (415) 421-7151  
Facsimile: (415) 362-8064  
E-mail: egoldsmith@altber.com

Attorneys for Plaintiff/Counterclaim Defendant  
Sheet Metal Workers' International Association  
Local Union No. 104

MICHELE R. STAFFORD (SBN 172509)  
Saltzman & Johnson Law Corporation  
44 Montgomery Street, Suite 2110  
San Francisco, CA 94104  
Telephone: (415) 882-7900  
Facsimile: (415) 882-9287  
Email: mstafford@sjlawcorp.com

Attorneys for Plaintiffs Board of Trustees of  
Sheet Metal Workers Local 104 Health  
Care Plan, et al.

JOSEPH W. McCARTHY (SBN 16443)  
Joseph W. McCarthy, A Law Corporation  
400 Reed St./PO Box 58032  
Santa Clara, CA 95050  
Telephone: (408) 727-4111  
Facsimile: (408) 727-4343  
Email: joe@mccarthylawcorp.com

Attorneys for Defendant/Counterclaimant  
Bay Area Balancing & Cleanroom, Inc.

IN THE UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA

BOARD OF TRUSTEES OF SHEET  
METAL WORKERS LOCAL 104 HEALTH  
CARE PLAN, *et al.*,

Plaintiffs,

vs.

BAY AREA BALANCING AND  
CLEANROOMS, INC.,

Defendant.

CASE NO. 3:14-cv-01739-HSG

**STIPULATION FOR EXTENSION OF TIME  
TO RESPOND TO COUNTERCLAIM AND  
REQUESTING COURT TO VACATE  
MEDIATION DEADLINE; ORDER**

Complaint Filed: April 14, 2014  
Trial Date: Not Yet Set

1 WHEREAS on February 4, 2015, the Court set a deadline of May 5, 2015 for the parties to  
2 engage in mediation in this action (Dkt. 29);

3 WHEREAS the case was reassigned to this Court on February 13, 2015, and a Case  
4 Management Conference was scheduled for May 19, 2015 (Dkt. 39);

5 WHEREAS Defendant Bay Area Balancing & Cleanroom, Inc. ("Defendant") substituted  
6 counsel in this action, effective April 1, 2015 (Dkt. 42);

7 WHEREAS Defendant filed a counterclaim against Plaintiff Sheet Metal Workers'  
8 International Association, Local Union No. 104 ("Local 104") on April 1, 2015 (Dkt. 43);

9 WHEREAS under Fed. R. Civ. P. 12(a)(1)(B), Local 104's answer or other responsive  
10 pleading to the Counterclaim would be due on April 22, 2015;

11 WHEREAS Plaintiff/Counterclaim Defendant Local 104 has substituted counsel in this  
12 action, effective April 15, 2015 (Dkt. 44);

13 WHEREAS in light of these significant changes in the case since it was ordered to  
14 mediation, the parties believe it would not be productive to proceed to mediation at this time;

15 The parties hereby stipulate as follows:

16 1. The deadline for Local 104 to file an answer or other responsive pleading to the  
17 Counterclaim is extended to May 13, 2015.

18 2. The parties jointly ask the Court to vacate the May 5, 2015 deadline for engaging in  
19 mediation.

20 3. The parties will address the issue of mediation in the Case Management Conference  
21 scheduled for May 19, 2015 and in their joint Case Management Conference statement.

22  
23 Dated: April 17, 2015

ALTSHULER BERZON LLP

24  
25 By: /s/ Eileen B. Goldsmith  
Eileen B. Goldsmith

26 Attorneys for Plaintiff/Counterclaim Defendant Sheet  
27 Metal Workers' International Association, Local  
28 Union No. 104

1 Dated: April 17, 2015

SALTZMAN & JOHNSON

2  
3 By: /s/ Michele Stafford  
Michele Stafford

4 Attorneys for Plaintiffs Board of Trustees of  
5 Sheet Metal Workers Local 104 Health  
6 Care Plan, et al.

7  
8 Dated: April 17, 2015

JOSEPH W. MCCARTHY, A LAW  
CORPORATION


9  
10 By: /s/ Joseph W. McCarthy  
Joseph W. McCarthy

11 Attorneys for Defendant/Counterclaimant  
12 Bay Area Balancing & Cleanroom, Inc.

13  
14 **ORDER**

15 IT IS SO ORDERED.

16 Dated: April 21, 2015

17   
HON. HAYWOOD S. GILLIAM, JR.  
United States District Judge

SIGNATURE ATTESTATION

"I hereby attest that I have on file all holographic signatures corresponding to any signatures indicated by a conformed signature (/S/) within this e-filed document."

/s/ Eileen B. Goldsmith

Eileen B. Goldsmith